

**IN THE UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST
LITIGATION

This Document Relates To All Direct and
Class Actions

Case: 0:18-cv-01776-JRT-JFD

Honorable John R. Tunheim

**DECLARATION OF DANIEL LAYTIN
IN SUPPORT OF DEFENDANTS' MEMORANDUM OF LAW IN SUPPORT OF
DEFENDANTS' JOINT MOTION FOR SUMMARY JUDGMENT ON ALL
REMAINING CLAIMS AGAINST DEFENDANTS**

I, Daniel Laytin, hereby declare:

1. I am an attorney at the law firm of Kirkland & Ellis LLP. I represent Defendants Clemens Food Group, LLC and The Clemens Family Corporation ("Clemens") in the above-referenced matter.

2. The exhibits and appendices cited in support of Defendants' Memorandum of Law in Support of Defendants' Joint Motion for Summary Judgment on All Remaining Claims Against Defendants are set forth in the chart below. True and correct copies of the following exhibits and appendices are attached hereto. All deposition transcripts and expert reports referenced have been limited to the relevant portions cited in support of Defendants' Joint Motion for Summary Judgment on All Remaining Claims Against Defendants. As required by the Amended Protective Order (Dkt. 1155), any exhibits that have been designated as Confidential or Highly Confidential will be filed under seal and are denoted as such in the chart below.

Appendix	Description	Under Seal
1	State Antitrust Claims	No
2	State Consumer Protection Claims	No
3	Unjust Enrichment Claims	No

Exhibit	Description	Under Seal
Misc-Ex. 1	Luis Cabral (Consumer IPP Expert) Deposition Transcript	Yes
Misc-Ex. 2	Merits Report of Luis Cabral (Consumer IPP Expert)	Yes
Misc-Ex. 3	AGSTAT-P-0003767209, Aug. 12, 2015 Email from E. Scholer to B. Snyder re EMI Update	Yes
Misc-Ex. 4	Steve Meyer (Agri Stats) Deposition Transcript	Yes
Misc-Ex. 5	Eric Scholer (Agri Stats) Deposition Transcript	Yes
Misc-Ex. 6	AGSTAT-P-0002341847, 2017 Report re Operations Profits	Yes
Misc-Ex. 7	Merits Rebuttal Report of Luis Cabral (Consumer IPP Expert)	Yes
Misc-Ex. 8	George Wean (Clemens) Deposition Transcript	No
Misc-Ex. 9	Ronald Freed (Clemens) Deposition Transcript	No
Misc-Ex. 10	TF-P-001871743, Jan. 31, 2012 Email from D. McConnell to Recipients re Agristats.xlsx	Yes
Misc-Ex. 11	TRI0000049900, Agristats December 2014 Margin Over Processing Summary	Yes
Misc-Ex. 12	Deborah McConnell (Tyson) Deposition Transcript	Yes
Misc-Ex. 13	Corrected Expert Report of Bruce A. Babcock (Clemens' Expert)	Yes
Misc-Ex. 14	Expert Report of Dr. Russell L. Lamb (DAP Expert)	Yes
Misc-Ex. 15	Expert Report of J. Douglas Zona (DAP Expert)	Yes
Misc-Ex. 16	DAPs' Contention Interrogatory Responses	Yes

Misc-Ex. 17	Kirk Laboyteaux (Brookshire 30(b)(6)) Deposition Transcript	Yes
Misc-Ex. 18	Martin Berlin (Associated Food Stores 30(b)(6)) Deposition Transcript	Yes
Misc-Ex. 19	Glenn Shields (21st Century) Deposition Transcript	Yes
Misc-Ex. 20	TF-P-002026588, July 6, 2011 Email from S. Schrum to Recipients re NPIC attendees	Yes
Misc-Ex. 21	Prescott Worrell (Unified Grocers 30(b)(6)) Deposition Transcript	Yes
Misc-Ex. 22	Shawn Spencer (Kroger 30(b)(6)) Deposition Transcript	Yes
Misc-Ex. 23	Paul Peil (Hormel) Deposition Transcript	No
Misc-Ex. 24	Seth Meyer (USDA) Deposition Transcript	No
Misc-Ex. 25	Shayle Shagam (USDA) Deposition Transcript	No
Misc-Ex. 26	Taylor Cox (USDA 30(b)(6)) Deposition Transcript	No
Misc-Ex. 27	Benjamin Lesneski (Meijer 30(b)(6)) Deposition Transcript	Yes
Misc-Ex. 28	Catherine East (Albertsons 30(b)(6)) Deposition Transcript	Yes
Misc-Ex. 29	Suzanne Grosso (Amory (30(b)(6)) Deposition Transcript	Yes
Misc-Ex. 30	Mark Furlano (CertCo) Deposition Transcript	Yes
Misc-Ex. 31	John Saterbo (Colorado Boxed Beef) Deposition Transcript	Yes
Misc-Ex. 32	Alberto Imperatori (Subway 30(b)(6)) Deposition Transcript	Yes
Misc-Ex. 33	Donald Hecht (Aramark 30(b)(6)) Deposition Transcript	Yes
Misc-Ex. 34	Brian Frey (Giant Eagle 30(b)(6)) Deposition Transcript	Yes
Misc-Ex. 35	Dennis Barber (Shamrock 30(b)(6)) Deposition Transcript	Yes
Misc-Ex. 36	Karen Anderson (US Foods 30(b)(6)) Deposition Transcript	Yes
Misc-Ex. 37	Keith Bollman (Topco) Deposition Transcript	No

Misc-Ex. 38	Chris Sandbothe (Topco) Deposition Transcript	Yes
Misc-Ex. 39	Timothy Kent (SpartanNash 30(b)(6)) Deposition Transcript	No
Misc-Ex. 40	Jeff Tynes (Springfield Grocer 30(b)(6)) Deposition Transcript	No
Misc-Ex. 41	Harold Elliott (Tony's Fine Foods 30(b)(6)) Deposition Transcript	Yes
Misc-Ex. 42	Ramon Botella (Associated Grocers 30(b)(6)) Deposition Transcript	Yes
Misc-Ex. 43	Hal Singer (CIIPP Expert) Deposition Transcript	Yes
Misc-Ex. 44	Hal Singer (CIIPP Expert) Deposition Exhibit 14	Yes
Misc-Ex. 45	Expert Report of Michael A. Williams (CIIPP, PR Expert)	Yes
Misc-Ex. 46	Sheb Cotter (Sysco 30(b)(6)) Deposition Transcript	Yes
Misc-Ex. 47	AGSTAT-P-0002615008, Agri Stats Customer Swine Processing Sales Definition/Calculation Manual	Yes
Misc-Ex. 48	Greg Dess (Agri Stats) Deposition Transcript	Yes
Misc-Ex. 49	Justin Schmerbeck (Clemens) Deposition Transcript	Yes
Misc-Ex. 50	J. Douglas Zona (DAP Expert) Deposition Transcript	Yes

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 7th day of June 2024 in Chicago, Illinois.

/s/ Daniel Laytin
Daniel Laytin, P.C.